



BEFORE THE ARIZONA CORPORATION COMMISSION

MIKE GLEASON
Chairman
WILLIAM A. MUNDELL
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner
GARY PIERCE
Commissioner

Arizona Corporation Commission

DOCKETED

AUG 28 2007

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IN THE MATTER OF THE COMMISSION
ON ITS OWN MOTION INVESTIGATING
THE FAILURE OF NUMEROUS
UTILITIES TO FILE ANNUAL REPORTS
FOR CALENDAR YEAR 2005

DOCKET NO. C-00000A-07-0430

DECISION NO. 69887

ORDER TO SHOW CAUSE

Open Meeting
August 21 and 22, 2007
Phoenix, Arizona

BY THE COMMISSION:

The Arizona Corporation Commission ("Commission"), hereby issues this Order to Show Cause against the following respondents:

DOCKET NO	COMPANY NAME
T-03092A	COMMONWEALTH LONG DISTANCE CO., dba CLD
T-03497A	CONNECTAMERICA, INC. dba CONNECT US OF DELAWARE
T-03961A	EARLAND E CASS
T-03920A	EN-TOUCH SYSTEMS, INC.
T-04165A	EXERGY GROUP, LLC
T-03416A	GERLACH ENTERPRISES, INC. dba GCI
T-04105A	GLOBAL INTERNETWORKING, INC.
W-02271A	GREEN ACRES WATER COMPANY
T-03068A	HEATH COMMUNICATIONS, INC.
T-03174A	LIGHTYEAR COMMUNICATIONS, INC.
T-03853A	MAXCESS, INC.
W-02164A	MORRISTOWN WATER COMPANY
T-04001A	MULTA COMMUNICATIONS, CORP. dba MULTACOM
T-03505A	NICKEA COMMUNICATION, LLC
T-03989A	NTC NETWORK LLC

W-04069A	OATMAN WATER COMPANY, LLC
T-04005A	QUICK TEL, INC.
W-01407A	STRAWBERRY WATER COMPANY
T-04000A	TELSEON CARRIER SERVICES, INC.
T-04070A	TOLL CALL, INC.
T-03439A	UNITED SERVICES TELEPHONE, LLC
T-03998A	VISTA VOICE & DATA INC.
T-03820A	W2COM INTERNATIONAL, LLC
W-01084A	WILLIAM P. FARR dba SALOME WATER COMPANY

FINDINGS OF FACT

The Commission, for its Complaint, and order to show cause alleges as follows:

1. The Commission is an agency of the State of Arizona, existing by virtue of Article 15 of the Arizona Constitution.

2. Respondents are public service corporations as defined by Article 15, Section 2 of the Arizona Constitution, and were issued Certificates of Convenience and Necessity in accordance with Arizona Revised Statutes Section 40-281.

3. As public service corporations, respondents are subject to the jurisdiction of the Commission with regard to the matters herein alleged.

4. This Complaint is initiated and authorized pursuant to Arizona Revised Statutes, Sections 40-202, 40-204, 40-425, 40-426, and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

5. Investigation by the Commission's Staff ("Staff") reveals and the Commission alleges that Respondents have violated Arizona Revised Statutes and Commission Rules. The Commission alleges the following in support of this claim:

A. Pursuant to Arizona Revised Statutes Section 40-204 and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F., all public service corporations in Arizona are required to file an annual report on or before April 15 of each year.

B. Despite repeated attempts by the Staff to persuade Respondents to file such reports, Respondents have failed to do so and are thus in violation of Arizona Revised Statutes Section 40-204 and Arizona Administrative Code, R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

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1 C. Pursuant to Arizona Revised Statutes Section 40-204, Respondents are in contempt of
2 the Commission for their failure to comply with the aforementioned rules and
3 requirements of the Commission.

4 6. The violations of Respondents to the aforementioned rules and requirements, as
5 alleged herein, constitutes grounds to assess a civil penalty against Respondents pursuant to
6 Arizona Revised Statutes Section 40-424 and 40-425, in an amount not less than \$100 nor more
7 than \$5,000 for each violation, and/or revoke respondents certificate of convenience and necessity.

8 CONCLUSIONS OF LAW

9 1. The Respondents are public service corporations within the meaning of Article XV
10 of the Arizona Constitution and is subject to the jurisdiction of the Commission.

11 2. The Commission has jurisdiction over the subject matter of Staff's Complaint and
12 Petition for Order to Show Cause.

13 3. Notice of this proceeding has been given in accordance with law.

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ORDER

THEREFORE IT IS ORDERED that Respondents appear before the Arizona Corporation Commission at a time and place designated by the Commission's Hearing Division and show cause why the Commission should not find Respondents in violation and contempt of Arizona Laws and Commission rules, and show cause why the Commission should not assess against Respondents penalties as provided in Arizona Revised Statutes Sections 40-424 and 40-425, and/or cancel the respondents certificate of convenience and necessity.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

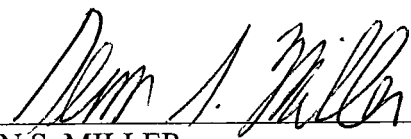

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I DEAN S. MILLER, Interim Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 28 day of August, 2007.


DEAN S. MILLER
Interim Executive Director

DISSENT: _____

DISSENT: _____

EGJ:KDB:lhml

1 DOCKET NO. C-00000A-07-0430

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3 T-03092A
4 Commonwealth Long Distance Co.,
5 CLD
6 105 Carnegie Center
7 Princeton, NJ 08540

8 T-03497A
9 ConnectAmerica, Inc.
10 Connect US of Delaware
11 1842 Centre Point Dr., Ste. 128
12 Naperville, IL 60563

13 T-03961A
14 Earland E Cass
15 16823 N. 1st Lane, Ste. 11
16 Phoenix, AZ 85023

17 T-03920A
18 En-Touch Systems, Inc.
19 13105 Northwest Freeway, Ste. 1020
20 Houston, TX 77040

21 T-04165A
22 Exergy Group, LLC
23 1550 West 84th St., Ste. 58
24 Hialeah, FL 33014

25 T-03416A
26 Gerlach Enterprises, Inc.
27 GCI
28 3002 Fiechtner Dr, Ste I
Fargo, ND 58104

T-04105A
Global Internetworking, Inc.
% Patrick Crocker
900 Comerica Bldg
Kalamazoo, MI 49007

W-02271A
Green Acres Water Company
2891 Patricia Lane
Yuma, AZ 85364

T-03068A
Heath Communications, Inc.
Community Payphones
PO Box 86143
Tucson, AZ 85754

T-03174A
Lightyear Communications, Inc.
1901 Eastpoint Parkway
Louisville, KY 40223

T-03853A
Maxcess, Inc.
100 W. Lucerne Plaza, Ste. 500
Orlando, FL 32801

W-02164A
Morristown Water Company
P.O. Box 156
Morristown, AZ 85342

T-04001A
Multa Communications, Corp.
Multacom
13191 Crossroads Pkwy N., Ste. 505
City of Industry, CA 91746

T-03505A
Nickea Communication, LLC
5020 N Lak A Yucca
Tucson, AZ 85743

T-03989A
NTC Network LLC
633 W. 5th St., 56th Floor
Los Angeles, CA 90071

W-04069A
Oatman Water Company, L.L.C.
9184 N. 81st Street
Scottsdale, AZ 85258

T-04005A
Quick Tel, Inc.
324 Trinity Place
Elizabeth, NJ 07201

1 W-01407A
Strawberry Water Company
2 203A W. Airport Rd
3 Payson, AZ 85541

4 T-04000A
Telseon Carrier Services, Inc.
5 7887 E. Belleview, Ste. 600
6 Englewood, CA 80111

7 T-04070A
Toll Call, Inc.
8 6000 Live Oak Pkwy., Ste. 111-A
9 Norcross, GA 30093

10 T-03439A
United Services Telephone, L.L.C.
11 475 Metroplex Dr., Ste. 106
12 Nashville, IN 37211

13 T-03998A
Vista Voice & Data Inc.
14 130 N. Central, 3rd Floor, Ste. 303
Phoenix, AZ 85004

15 T-03820A
16 W2Com International, LLC
3500 Park Center Dr
17 Dayton, OH 45414

18 W-01084A
19 William P. Farr
Salome Water Company
20 P.O. Box 550
21 Salome, AZ 85348

22 Mr. Ernest G. Johnson
Director, Utilities Division
23 Arizona Corporation Commission
1200 West Washington
24 Phoenix, Arizona 85007

25 Mr. Christopher C. Kempley
Chief Counsel
26 Arizona Corporation Commission
1200 West Washington
27 Phoenix, Arizona 85007
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